

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 1:12-cv-00083
)	
156.0 ACRES OF LAND, MORE OR LESS,)	
LOCATED IN LAKE UMBAGOG IN THE)	
TOWN OF ERROL, SITUATED IN THE)	
COUNTY OF COOS, STATE OF NEW)	
HAMPSHIRE, AND SOCIETY FOR THE)	
PROTECTION OF NEW HAMPSHIRE)	
FORESTS, ET AL.)	
)	
Defendants.)	
_____)	

COMPLAINT IN CONDEMNATION

Plaintiff, United States of America, through undersigned counsel, states the following:

1. This is an action of a civil nature brought by the United States of America at the request of the U.S. Department of the Interior for the taking of property under the power of eminent domain through a Declaration of Taking and for the determination and award of just compensation to the owners and parties of interest.
2. This Court has jurisdiction over all relevant matters in the case as provided by 28 U.S.C. §1358.
3. The authority for the taking is set forth in Schedule "A", attached hereto and made a part hereof.

4. The public uses for which the subject property is taken are set forth in Schedule “A” attached hereto and made a part hereof.

5. A description of the property in which the interest is being taken is set forth in Schedule “B”, attached hereto and made a part hereof.

6. The estate taken for said public uses is set forth in Schedule “C”, attached hereto and made a part hereof.

7. The persons who may have or claim a purported interest in the property and whose names are known are listed in Schedule “D”, attached hereto and made a part hereof.

8. A map depicting the property being taken is shown in Schedule “E”, attached hereto and made a part hereof.

9. The sum of money estimated by the U.S. Department of the Interior to be the just compensation for the property acquired is One Million One Thousand and No/100 Dollars (\$1,001,000.00).

10. All persons, firms and corporations named as defendants herein are joined as defendants generally to the end that all right, title, and interest of all said defendants in and to any and all of the lands herein involved shall, to the extent of the estate herein taken, be divested out of them and vested in Plaintiff.

11. In addition to the persons named, there are or may be others who have or may claim some interest in the property or interests to be taken, whose names are unknown to the Plaintiff, and such persons are made parties in the action under the designation “Unknown Owners” and “Unknown Successors-in-Interest.”

12. Defendant Society For The Protection Of New Hampshire Forests is the fee simple owner of a 97.2222 percentage interest in the property and has entered into a Stipulation Of Consent to Condemnation And Just Compensation, dated February 9, 2012, attached hereto as Schedule "F". Pursuant to this Stipulation, which is accepted by Plaintiff, said Defendant has agreed to fix the amount of just compensation in the sum of One Million and No/100 Dollars (\$1,000,000.00) for its interest.

13. Defendant State of New Hampshire holds a leasehold interest in a portion of the property and has entered into a Stipulation of Consent to Condemnation, dated December 12, 2011, attached hereto as Schedule "G". Pursuant to this Stipulation, which is accepted by Plaintiff, said Defendant has agreed that it shall not be entitled to any just compensation as a result of this condemnation.

14. Defendant Onaway Camp Trust holds a leasehold interest in a portion of the property and has entered into a Stipulation of Consent to Condemnation, dated February 14, 2012, attached hereto as Schedule "H". Pursuant to this Stipulation, which is accepted by Plaintiff, said Defendant has agreed that it shall not be entitled to any just compensation as a result of this condemnation.

WHEREFORE, Plaintiff demands judgment that the property and interests be condemned, and that just compensation for the taking be ascertained and awarded and for such other relief as may be lawful and proper.

DATED: March 2, 2012

UNITED STATES OF AMERICA, by

JOHN P. KACAVAS
UNITED STATES ATTORNEY

/s/ Gretchen Leah Witt

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